

REMARKS/ARGUMENTS

This amendment is responsive to the Office Action mailed February 4, 2005. In that Office Action the Examiner first noted the specification contained the trademark Velcro and noted it should be capitalized and accompanied by generic terminology. To Applicant's knowledge, the only use of Velcro occurs at page 5 of the specification and such use is believed proper.

The Examiner next rejected all the claims under Section 103 as obvious over the Roessler '342 patent. Applicant disagrees, and has revised the claims to further emphasize the differences between the invention and the cited prior art reference. Claim 1 as revised requires a diaper wrap garment of a textile material that is nonbiodegradable and not flushable down the toilet; instead it can be reused repeatedly and even worn without the disposable insert if desired. Additionally, the shape of the disposable insert must be closely similar to the shape of the diaper wrap garment.

In contrast, the Roessler diaper is entirely disposable and the flushable insert is narrower and does not follow the shape of the nonflushable garment shell. There is no suggestion or motivation to modify to modify Roessler to support an obviousness conclusion. Further, the level of skill-in-the-art in this field is low, weighing against an obviousness conclusion. For the foregoing reasons, the obviousness finding should be withdrawn and the claims allowed.

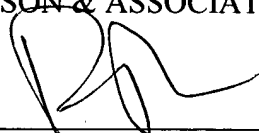
Please contact the undersigned with any questions or comments.

No additional fees are believed owed; if any additional fees are owed the Patent Office is authorized to charge Applicant's Representative's deposit account no. 50-3116.

Respectfully submitted,

LAUSON & ASSOCIATES

By

A handwritten signature in black ink, appearing to read 'R. J. Lawson', is written over a horizontal line.

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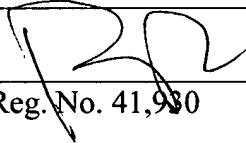
CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelop addressed as follows:

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MAY 3, 2005



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Robert J. Lauson, Reg. No. 41,930

Date